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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,965	01/31/2001	Shawn D. Bracewell	13768.185.1	6008

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WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
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SALT LAKE CITY, UT 84111

EXAMINER	
PATEL, ASHOKKUMAR B	
ART UNIT	**PAPER NUMBER**
2154	4

DATE MAILED: 04/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/774,965	BRACEWELL ET AL.	
	Examiner	Art Unit	
	Ashok B. Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Application Number 09/774, 965 was filed on 01/31/2001. Claims 1-43 are subject to examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 39-43 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter where:

Claims 39-43 only requires a computer readable medium having stored thereon a data structure and is absent computer execution.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, 11-16, 18-24, 27-31, 36 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Donohue et al. (US 5, 987, 480).

Referring to claims 1, 2 and 3,

The reference teaches a network that includes one or more network devices that have Web browsers implemented thereon (Fig.1, elements 2), the network devices being network connectable to a network server, the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content, (Fig.1, elements 10, and 12, col.7, lines 34-44). The reference also teaches a method for rendering data from the data server to create displayable content, comprising an act of the network server receiving a request for displayable content from a first network device; (col.7, lines 25-31). The reference also teaches that every item in the data source 12 is or can be represented by a name or variable and a value corresponding to the name. (content of the data server is displayable as well as non-displayable)(col. 7, lines 47-49). The reference also teaches that document templates are created by embedding dynamic tags and flow directives in markup language documents, the dynamic tags and flow directives containing one or more names of content stored in the data source. The document templates are stored on the server computer. (Abstract). The reference also teaches the method involves storing on the web server a plurality of document templates compatible with a plurality of types of web browsers, automatically identifying at the web server the type of browser operating on the client computer, and selecting one of the plurality of document templates to be populated which is compatible with the client computer's browser type. (col.5, lines 1-11 and col. 3, lines 48-61). (an act of

identifying a template that corresponds to the displayable content and that corresponds to a Web browser type that is implemented on the first network device, the template including displayable portions as well as one or more tokens, that represent non-displayable data that is stored on the data server;). The reference also teaches that the server computer can receive requests from client computers connected to the Internet, the requests identifying desired documents to be delivered. In response to such a request, the server computer selects one of the document templates corresponding to the desired document, populates the document template with content stored in the data source based on respective values of content corresponding to names in the dynamic tags and flow directives, and delivers the populated document to the client computer. (an act of accessing the non-displayable data from the data server; an act of the network server following the identified template to construct the displayable content by performing the following acts: an act of including displayable portions in the displayable content as specified in the identified template; an act of processing the non-displayable data accessed from the data server, the processing functions specified by the identified template, wherein the nondisplayable data become is displayable upon processing; and an act of including the processed non-displayable data in the displayable content as specified in the identified template; and an act of sending the displayable content to a second network device.) The reference also teaches that the communications protocol for the web is the hypertext transfer protocol ("HTTP") and other communication protocols for other Internet communication tools include the file transfer protocol or FTP, Gopher, news for the Usenet, telnet, and mailto for electronic mail. (col1, lines 50-54).

Thereby, the reference discloses that the requesting first network device and receiving second network device are the same or different depends on the communication protocol used such as HTTP or mailto for electronic mail.

Referring to claims 4, 5, 20, 21

The reference teaches when applied to the world wide web on the Internet, the first computer is a web server and the second computer is a client computer. In this context, the document is a markup language web page such as a HTML document which is processed by a browser program operating on the client computer. The present invention thus provides the ability for a web server to deliver web pages containing customized content. (col.4, lines 8-15).(wherein the displayable content comprises a HyperText Markup Language (HTML) document.) The reference also teaches the markers in the template preferably contain one or more control symbols to identify them as markers. A control symbol is preferably placed before and after each marker. When used with HTML the control symbol can be the "@" symbol because it is not already used in HTML to identify HTML tags. The process of populating the document template comprises parsing the document template to locate the control symbols and thereby locate the markers. (col.4, lines 36-43). (wherein the displayable portions comprise HTML tags.)

Referring to claims 6, 7, 22 and 23,

The reference teaches that the present invention provides to automatically provide web pages to users which are compatible with the specific type and/or version of the browser being used by the user. (col.3, lines 44-47). The reference teaches to automatically

identifying the browser type comprises reading a browser signature after receiving the client computer's request for the document. A signature table or registry may be stored on the web server linking browser signatures with associated document file extensions. The step of selecting one of the documents comprises looking up in the signature table the read browser signature, finding a document file extension associated with the read signature, and selecting a document having the found file extension. (wherein the request for displayable content comprises information allowing the network server to identify the web browser type that will be used on the network device to display the displayable content and wherein the request for displayable content comprises information expressly identifying the Web browser type that will be used on the network device to display the displayable content.)

Referring to claims 8 and 24

The reference teaches that every item in the data source 12 is or can be represented by a name or variable and a value corresponding to the name. (content of the data server is displayable as well as non-displayable)(col. 7, lines 47-49). The reference also teaches that the server computer can receive requests from client computers connected to the Internet, the requests identifying desired documents to be delivered. In response to such a request, the server computer selects one of the document templates corresponding to the desired document, populates the document template with content stored in the data source based on respective values of content corresponding to names in the dynamic tags and flow directives, and delivers the populated document to the client computer. (Abstract). The reference also teaches a method for delivering a

document having dynamic content embedded therein from a first computer to a second computer. The method comprises the steps of storing a data source containing first content in a form representing or reducible to a plurality of names and corresponding values and storing on the first computer at least one document template having second content arranged therein and a plurality of markers embedded therein. The markers can include one or more dynamic content tags each including at least one first content name. The markers can also include one or more dynamic flow directives each including one or more instructions and one or more first content names as arguments for the instructions.(col.3, lines 49-61).(wherein the processing functions to be performed comprises processing one or more tokens to convert the non-displayable data so as to be displayable.)

Referring to claims 11, 12, 27, 28

The reference teaches the claimed limitations by stating that the data source 12 is stored in non-volatile memory on the web server 10. Alternatively, the data source 12 may be stored on another computer to which the web server 10 has access. (col.7, lines 34-38).(wherein the network server and the data server are physically integrated and wherein the network server and the data server are physically separate.)

Referring to claims 13, 14, 29, 30,

The reference also teaches that the communications protocol for the web is the hypertext transfer protocol ("HTTP") and other communication protocols for other Internet communication tools include the file transfer protocol or FTP, Gopher, news for the Usenet, telnet, and mailto for electronic mail. (col1, lines 50-54). Thereby, the

reference discloses that the requesting first network device and receiving second network device are the same or different depends on the communication protocol used such as HTTP or mailto for electronic mail. (an act of the network server receiving a request for displayable content via network messaging.) The reference also teaches that on the web server 10 are stored a data source 12 and a script 14 (API) containing a number of functions including a template selection function 16, a template parsing function 18, and a data source interface function 20. The script 14 (API) can be implemented in any programming language, though an object-oriented programming language such as C++ is preferred. The web server also stores a library of functions 22 which are called by the script 14, and a plurality of document templates 24. The template selection function 16 selects one of the templates 24 to be used based at least in part on the URL received at the web site (request for displayable content) , and the template parsing function in conjunction with the library functions 22, populates the selected template to produce a document 26 to be sent to a client. (col. 7, lines 7-22). However, it is well known in the art that the communications between database server and web server can be accomplished using API functions, Perl scripts, CGI scripts, Cold Fusions.

Referring to claims 15, 16, 18 and 19,

The reference teaches a network that includes one or more network devices that have Web browsers implemented thereon (Fig.1, elements 2), the network devices being network connectable to a network server, the network also including a data server that is in communication with the network server, wherein the network server sends

displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content, (Fig.1, elements 10, and 12, col.7, lines 34-44). The reference also teaches a method for rendering data from the data server to create displayable content, comprising an act of the network server receiving a request for displayable content from a first network device; (col.7, lines 25-31). The reference also teaches a method for rendering data from the data server to create displayable content, comprising an act of the network server receiving a request for displayable content from a first network device; (col.7, lines 25-31). The reference also teaches that every item in the data source 12 is or can be represented by a name or variable and a value corresponding to the name. (content of the data server is displayable as well as non-displayable)(col. 7, lines 47-49). The reference also teaches that document templates are created by embedding dynamic tags and flow directives in markup language documents, the dynamic tags and flow directives containing one or more names of content stored in the data source. The document templates are stored on the server computer. (Abstract). The reference also teaches the method involves storing on the web server a plurality of document templates compatible with a plurality of types of web browsers, automatically identifying at the web server the type of browser operating on the client computer, and selecting one of the plurality of document templates to be populated which is compatible with the client computer's browser type. (col.5, lines 1-11 and col. 3, lines 48-61). (an act of identifying a template that corresponds to the displayable content and that corresponds to a Web

browser type that is implemented on the first network device, the template including displayable portions as well as one or more tokens, that represent non-displayable data that is stored on the data server;). The reference also teaches that the server computer can receive requests from client computers connected to the Internet, the requests identifying desired documents to be delivered. In response to such a request, the server computer selects one of the document templates corresponding to the desired document, populates the document template with content stored in the data source based on respective values of content corresponding to names in the dynamic tags and flow directives, and delivers the populated document to the client computer. (an act of accessing the non-displayable data from the data server; a step for constructing the: displayable content so as to represent both the displayable portions and the non-displayable data; and an act of sending the displayable content to the network device.

The step for constructing displayable content comprises an act of including displayable portions in the displayable content as specified in the identified template; an act of processing the non-displayable data accessed from the data server, the processing functions specified by the identified template, wherein the non-displayable data become is displayable upon processing; and an act of including the processed non-displayable data in the displayable content as specified in the identified template; and an act of sending the displayable content to a second network device.) The reference also teaches that the communications protocol for the web is the hypertext transfer protocol ("HTTP") and other communication protocols for other Internet communication tools include the file transfer protocol or FTP, Gopher, news for the Usenet, telnet, and mailto

for electronic mail. (col1, lines 50-54). Thereby, the reference discloses that the requesting first network device and receiving second network device are the same or different depends on the communication protocol used such as HTTP or mailto for electronic mail.

Referring to claim 31,

Claim 31 is a claim to a computer program product on a computer-readable medium carrying computer-readable instructions, that when executed at the network server, cause the network server to perform the steps of method 1. Therefore, claim 31 is rejected for the reasons set forth for the claim 1.

Referring to claims 36 and 37,

The reference teaches the claimed limitations by showing Fig.1, element 10 which is a server capable of accommodating the functions of the network device and by stating that the data source 12 is stored in non-volatile memory on the web server 10. Alternatively, the data source 12 may be stored on another computer to which the web server 10 has access. (col.7, lines 34-38).(wherein the network server and the data server are the same device.).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 9, 10, 17, 25, 26, 34, 35 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al. (US 5, 987, 480) in view of Fidler (US 2003/0191817 A1)

Referring to claims 9, 10, 17, 25 and 26,

Keeping in mind the teachings of the reference Donohue as sated above, the reference fails to teach the request for displayable content comprises language information identifying the language to be used in the displayable content, the method further comprising an act of identifying the language based on the language information and wherein the language information comprises an express language indication, the method further comprising an act of identifying the language based on the express language indication. The reference Fidler teaches a method for dynamically and efficiently composing network web pages in a preferred language for the user(identifying the language to be used in the displayable content), for transmission from a server having a server memory to a user terminal on a network, the method comprising: the server receiving a request for a web page from the user terminal; identifying the preferred user language; composing the web page using the preferred user language (an act of identifying the language based on the express language indication) and an uncomposed web page; wherein the uncomposed web page comprises logic and layout information; wherein the uncomposed web page includes at least one tag for dynamically inserting textual information retrieved from a user language text file; wherein the textual information is retrieved by loading a user language text file into the server memory; and wherein composing the web page includes parsing the user

language text file and inserting the parsed user language text file into the uncomposed web page logic and layout information; and transmitting the composed web page to the user terminal. (page 1, para. [0011]). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify and enhance Donohue by including the functionality of Fidler's template populating based on the language preference of the user as indicted expressly in the request. This provides an efficient method and system for allowing multiple language text and logic linking for web page display as taught by Fidler.

Referring to claims 34 and 35,

Keeping in mind the teachings of the reference Donohue as sated above, the reference fails to teach wherein the request for content includes an indication of the language to be used when the requested content is sent to the network device and wherein template identification is performed independently of the language to be used when requested content is sent to the network device and wherein art identified template may send data to the network device in more then one language. The reference Fidler teaches a method for dynamically and efficiently composing network web pages in a preferred language for the user (wherein the request for content includes an indication of the language to be used when the requested content is sent to the network device), for transmission from a server having a server memory to a user terminal on a network, the method comprising: the server receiving a request for a web page from the user terminal; identifying the preferred user language; composing the web page using the preferred user language and an uncomposed web page; wherein the uncomposed web

page comprises logic and layout information; wherein the uncomposed web page includes at least one tag for dynamically inserting textual information retrieved from a user language text file; wherein the textual information is retrieved by loading a user language text file into the server memory; and wherein composing the web page includes parsing the user language text file and inserting the parsed user language text file into the uncomposed web page logic and layout information; and transmitting the composed web page to the user terminal. (page 1, para. [0011]) The reference teaches that it provides method for allowing multiple language text and logic linking for web page display.(page 1,[0006]). (wherein template identification is performed independently of the language to be used when requested content is sent to the network device and wherein art identified template may send data to the network device in more then one language).Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify and enhance Donohue by including the functionality of Fidler's template populating based on the language preference of the user as indicted expressly in the request. This provides an efficient method and system for allowing multiple language text and logic linking for web page display as taught by Fidler.

Referring to claims 39 and 41,

The reference Donohue teaches a source file for a sample template.(Fig.2). Thereby, the reference teaches that the data structure comprises of a field (first field) representing template layout data. The reference also teaches that the server computer can receive requests from client computers connected to the Internet, the requests

identifying desired documents to be delivered. In response to such a request, the server computer selects one of the document templates corresponding to the desired document, populates the document template with content stored in the data source based on respective values of content corresponding to names in the dynamic tags and flow directives, and delivers the populated document to the client computer. The invention has particular application to HTML documents transferred over the World Wide Web. (Abstract). Thereby, the reference teaches a second field representing data dictionary data that identifies data to be accessed from the data server; and a fourth field representing functions data that identifies functions associated with the template; a fifth field representing token information table data that identifies locations in the template associated with data dictionary data, template constant data and functions data; and an sixth field representing, HTML data that identifies native HTML associated with the template. The reference fails to teach a third field representing template constant data that identifies data in the template that will not change. The reference Fidler teaches that as the web page information is transmitted to the user for display, the information is dynamically built using template information common to all users, regardless of language (wherein the third field may identify constant information in multiple languages), and appropriately inserted information for text in the language selected. Thereby, the reference teaches a third field representing template constant data that identifies data in the template that will not change. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify and enhance Donohue by including the functionality of Fidler's template

populating based on the language preference of the user as indicated expressly in the request. This provides an efficient method and system for allowing multiple language text and logic linking for web page display as taught by Fidler.

Referring to claim 40,

The reference Donohue teaches that every item in the data source 12 is or can be represented by a name or variable and a value corresponding to the name. (content of the data server is displayable as well as non-displayable)(col. 7, lines 47-49). The reference also teaches that document templates are created by embedding dynamic tags and flow directives in markup language documents, the dynamic tags and flow directives containing one or more names of content stored in the data source. The document templates are stored on the server computer. (Abstract). Thereby, the reference teaches the second field includes identification of non-displayable data to be accessed on the data server.

7. Claims 32, 33, 38, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al. (US 5, 987, 480) and Fidler (US 2003/0191817 A1) and further in view of Official Notice.

Referring to claims 32, 33, 38, 42 and 43,

An Official Notice is taken for the computer-readable instructions and computer readable medium having data structure (physical storage) which by virtue causes the implementation of the method such as of claims 31 and 39 and it itself is non-displayable data and not accessible to the network device. This provides security

against changes/ alterations by the personnel which are not authorized to access or change.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp
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